

## **REMARKS**

Reconsideration of the application is respectfully requested.

### **I. Status of the Claims**

Claims 1 - 8 are presently pending. Claim 1 is amended. No new matter is introduced. Support for the amendment may be found, for example, with reference to Applicant's specification at page 7, line 27 through page 8, line 11, and with reference to Applicant's FIG. 4.

### **II. Rejections under 35 U.S.C. § 103**

Claims 1 - 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,608,236 to Beny et al. ("Beny") in view of U.S. Patent No. 6,024,627 to Tilbor et al. ("Tilbor"). Applicant amends independent claim 1 to further clarify the nature of his invention, and respectfully traverses this rejection.

Applicant's invention as claimed includes a pair of left and right driven wheels, and a pair of left and right steered wheels. The left and right driven wheels are each independently driven such that independent speeds can be generated in each wheel. The left and right steered wheels are supported by a steered wheel supporting mechanism that supports each wheel such that each wheel is capable of turning about a predetermined (i.e., fixed) steering axis. The steered wheel supporting mechanism also regulates turning such that that both wheels may only turn in the same direction in association with each other.

The predetermined steering axis for each wheel is inclined with respect to a vertical direction such that an upper portion of the steering axis is located rearward of a lower portion of the steering axis in a traveling direction (a so-called "positive caster angle").

By assuming the claimed configuration, when a speed difference is generated between the left and right driven wheels of the claimed automobile model that causes the model to assume a turning direction, the left and right steered wheels are naturally steered in the turning direction of the model by a reaction force received from a ground contact surface, without any additional steering driving force (see, e.g., page 9, line 9 through page 10, line 4 of Applicant's specification). Because the predetermined steering axis for each of the left and right steered wheels has a positive caster angle, a restorative force is generated that urges the wheels to return to a straight-ahead direction, thereby avoiding an excessive turning motion of the left and right steered wheels (see, e.g., page 8, line 26 through page 9, line 2 of Applicant's specification).

Beny discloses a toy vehicle with "front wheels that tend to steer it around banked curves" (see, e.g., abstract of Beny). The Examiner acknowledges that Beny does not teach Applicant's claimed left and right driven wheels which are independently driven by different driving sources, but submits that these features are taught by Tilbor. In all other aspects, the Examiner argues that the features of Applicant's independent claim 1 are disclosed by Beny. Applicant respectfully disagrees.

With reference to FIG. 2 of Beny, Beny discloses that each of front wheels 14, 16 of the toy vehicle contains a bearing having a conical bearing aperture 22 that allows the wheel to pivot up to about 20 degrees in any direction while rotating with respect to the axle 20 (see, e.g., Col. 2: 27 - 20 of Beny). While the wheels are rotating, a tilting force (as would be applied, for example, by gravity when the toy vehicle assumes a non-horizontal position on a banked curve) tilts the wheels in a lateral direction of the vehicle that causes the front wheels to precess in a turning direction of the vehicle (see, e.g., Col. 2: 46 - 50 of Beny).

Beny's wheels 14, 16 are positioned on opposing ends of the axle 20, with no further mechanical interconnection. Thus, each of the wheels 14, 16 is free to pivot in a direction that is independent of a pivot direction of the other wheel. Therefore, and in sharp contrast to Applicant's invention as claimed, the wheels 14, 16 of Beny's toy vehicle cannot be said to be adapted to turn only in the same direction in association with each other.

With reference to FIG. 2 of Beny, it can be seen that the wheels 14, 16 are permitted to pivot within the full extent of the conical bearing aperture 22. In sharp contrast to Applicant's invention as claimed, Beny's axle 20 and bearing 22 cannot be said to restrict each of the wheels 14, 16 to pivot around a predetermined steering axis which is fixedly inclined with respect to a vertical direction such that an upper portion of the steering axis is located rearward of a lower portion of the steering axis in a traveling direction. Clearly, the steering axes of Beny's wheels 14, 16 (i.e., axes about which the wheels pivot when turned) are not fixed. Even it is argued that these axes are effectively fixed when the toy vehicle enters a banked curve and causes the wheel 14, 16 to assume an associated tilt, Beny nowhere teaches or otherwise suggests that the steering axes assume the geometry claimed by Applicant: a geometry in which the steering axes have an upper portion in the vertical direction that is located rearward of a lower portion of the steering axes in a traveling direction.

Tilbor discloses a toy vehicle having large rear wheels which are driven by different driving sources in order to produce gyroscopic effects (see, e.g., abstract of Tilbor). With reference to FIGs. 1 and 2 of Tilbor, front wheels 24 are provided on lateral sides 20, 22 of the vehicle, supported for free rotation at the outer end of a pair of ribbed reinforced bosses 26a, 26b, by a shaft 27. Applicant submits that Tilbor fails to overcome the deficiencies of Beny with

respect to the above-described elements of Applicant's claimed steered wheel-supporting mechanism.

Accordingly, for at least these reasons, Applicant respectfully submits that Applicant's invention as claimed in independent claim 1 is not made obvious by the cited references, and stands in condition for allowance. As claims 2 - 8 each depend directly or indirectly from allowable claim 1, Applicant further submits that dependent claims 2 - 8 are also allowable for at least this reason.

Applicant therefore respectfully requests that the rejection of claims 1 - 8 under 35 U.S.C. § 103(a) be withdrawn.


**CONCLUSION**

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: July 29, 2008

Respectfully submitted,

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